



**City of Seattle**  
Edward B. Murray, Mayor

**Department of Construction and Inspections**  
Nathan Torgelson, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR OF  
THE SEATTLE DEPARTMENT OF CONSTRUCTION AND INSPECTIONS**

**Application Number:** 3023676  
**Applicant Name:** Bruce Parker  
**Address of Proposal:** 4443 39th Avenue South

**SUMMARY OF PROPOSAL**

Land Use Application to allow new single family residence and surface parking for one vehicle.

The following approval is required:

**Special Exception:** to allow development of a qualified lot less than 3,200 sq. ft. in area in a Single Family zone (SMC 23.44.010.B.3).

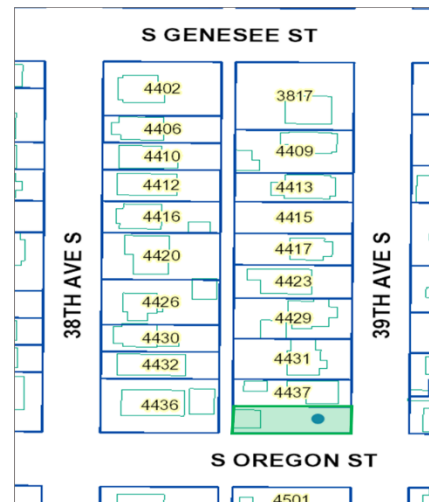
**SITE AND VICINITY**

**Site Zone:** Single Family 5000 (SF 5000)  
**Nearby Zones:** North: SF 5000  
South: SF 5000  
East: SF 5000  
West: SF 5000  
**Site Size:** 3,060 sq. ft.  
**Environmentally Critical Areas:** Landfill (Historical) – ECA 7

**PUBLIC COMMENT:**

The public comment period ended on June 13, 2016. No comments were received.

**SPECIAL EXCEPTION**



The Land Use Code provides a Special exception review process for lots less than 3,200 square feet in area. A special exception Type II review as provided for in Section 23.76.004 is required for separate development of any lot with an area less than 3,200 square feet that qualifies for any lot area exception in subsection 23.44.010.B.1. The special exception application shall be subject to the following provisions:

- a. The depth of any structure on the lot shall not exceed two times the width of the lot. If a side yard easement is provided according to subsection 23.44.014.D.3, the portion of the easement within 5 feet of the structure on the lot qualifying under this provision may be treated as a part of that lot solely for the purpose of determining the lot width for purposes of complying with this subsection 23.44.010.B.2.c.*
- b. Windows in a proposed principal structure facing an existing abutting lot that is developed with a house shall be placed in manner that takes into consideration the interior privacy in abutting houses, provided that this provision shall not prohibit placing a window in any room of the proposed house.*
- c. In approving a special exception review, additional conditions may be imposed that address window placement to address interior privacy of existing abutting houses.*

The subject site was platted (Squares Landslide Addition) in 1890's as recorded in Volume 11 of Plats, Page 50, records of King County, Washington. As such, is qualified for a Historic Lot Exception. Review and analysis of the information provided by the Applicant demonstrates compliance with the provisions regulating review for lots less than 3,200 square feet.

The applicant provided a window study and privacy analysis for the adjacent properties located at 4437 39th Ave S. Based on review of the window study and privacy analysis, it has been determined that the windows in the proposed structure have been placed in a manner that takes into consideration the interior privacy of the abutting residence.

This proposal is not expected to have a significant impact on the interior privacy of existing abutting houses. The proposal has been reviewed and complies with provisions regulating review for lots under 3,200 square feet under SMC 23.44.010.B.3 and therefore no additional conditions are warranted.

### **DECISION – SPECIAL EXCEPTION**

The proposed Special Exception is **GRANTED**.

### **CONDITIONS OF APPROVAL**

None Required.

David Landry, AICP, Land Use Planner  
Seattle Department of Construction and Inspections

Date: September 1, 2016

DL:bg

Landry/3023676 4443 39<sup>th</sup> Ave S

## IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

### Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered “approved for issuance”. (If your decision is appealed, your permit will be considered “approved for issuance” on the fourth day following the City Hearing Examiner’s decision.) Projects requiring a Council land use action shall be considered “approved for issuance” following the Council’s decision.

The “approved for issuance” date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by Seattle DCI within that three years or it will expire and be cancelled. (SMC 23-76-028) (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at [prc@seattle.gov](mailto:prc@seattle.gov) or to our message line at 206-684-8467.